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## TERMS of Deposition of the Disposition by *Mochrum* to *Greenock*.



**A**T *Edinburgh* the fifteenth Day of *December* One thousand six hundred and eighty seven Years, THE WHILK Day there was subscribed be Mrs. *Isabel Nicolson*, one of the three Heirs Portioners served and returned in special to the deceased *Thomas Lord Napier*, sometime designed Sir *Thomas Nicolson* of *Carnock*, Spouse to *James Dunbar* of *Mochrum*, with Consent of her said Husband, and he for himself, and as taking Burden upon him for his said Spouse, and be them both with an mutual Advise, Consent and Assent, an Disposition of the said Mrs. *Isabel* her third Part of the Lands and Barony of *Carnock* and *Plain*, and others contained in the said Disposition in Favours of

and of his Heirs thereinmen-

tioned, and which Disposition is depositate be the said Mrs. *Isabel* and her said Husband in the Hands of Mr. *Hew Dalrymple* Advocate, upon the Terms and Conditions underwritten, viz. That whereas the Disposition is granted to the said blank Person, it is communed and agreed upon, that the foresaid blank Disposition is to the Behoof of Sir *John Schaw* of *Greenock*, and is to be delivered to the said Sir *John*, upon his Payment of the Price, or giving Security for the same in Manner underwritten, viz. at the Rate of eighteen Years Purchase for the Stock of the said Lands, both Victual and Money-rent, accompting the Victual ninety Pounds the Chalder Over-head, conform to a Rental subscribed by the Disponers, and likewise depositate: And if it appear, that any Thing is stated in that Rental which is not due, or presently payable be the Tenants of the said Lands, the same is to be deduced from the Price, or if any Thing be omitted out of the Rental which is due, and payable out of the Lands dispoed, the Receiver of the Disposition is to pay for the same at the Rate foresaid, declaring, That albeit the Measure of the Barony be greater than that of the Shire of *Stirling*, yet there is no Addition to be made to the Rental on that Account, nor are the Poultry or Kain valued by the Communing. AND in Regard, it is yet unclear, what Right the said Disponers have to the Teinds of the Lands dispoed, whether the same be heritable, long or short Tacks; therefore it is declared, That the Price of the said Teinds shall be according to the Disposer's Right thereto, and the samen to be determined by Mr. *William Hamilton* and Mr. *Hew Dalrymple* Advocates, and in Case of Variance betwixt them be Sir *John Dalrymple* his Majesty's Advocate as Overfman, to whom the Disponers do absolutely submit, and refer themselves after the Consideration of the Rights. AS LIKEWISE the said Sir *John Schaw*, by accepting, receiving or using of the foresaid Disposition, obliges him to obtemper and fulfil the same, and subscribe a Double of thir present Terms of Deposition, and is to pay or grant Security for the foresaid Price, betwixt and the first Day of *March* next to come, otherwise the foresaid Disposition is hereby declared null. AND the said Mrs. *Isabel Nicolson* and her said Husband receiving the said Security, the said Disposition is to be delivered up to the said Sir *John* with the Rental, and Terms of Deposition, to be be him used at his Pleasure, which Terms of Deposition are to be cancelled be the said Sir *John*; DECLARING likewise, that the Subjects set to the Lord *Elphinstoun* is not to be counted a Part of the Rental, according to the present Tack-duty, but the true intrinsick Worth thereof, as it may be set to other Tenants, is to be determined be his Majesty's Advocate, or otherwise the Sellers are to except the same out of their Bargain in their Option. In Witness whereof, written by *William Wilson*, Servitor to *James Hamilton* Writer to his Majesty's Signet, the said *James Dunbar* of *Mochrum*, and the said Mr. *Hew Dalrymple*, have subscribed thir Presents with their Hands, Day and Place above-written, before these Witnesses, the said *James Hamilton* and *William Wilson* his Servant. AND it is hereby declared, that the said Mrs. *Isabel Nicolson* has not yet subscribed the said Disposition, but only the said *James Dunbar*. Sic sub. *Ja. Dunbar, Hew Dalrymple; Ja. Hamilton* Witness, *Wm. Wilson* Witness.

*Follows the Copy of the Prorogation of the said Terms of Deposition signed by Mochrum and his Lady.*

**A**T *Mochrum* the fifth Day of *April* One thousand six hundred and eighty eight Years, conform to the Terms of Deposition in the Hands of Mr. *William Hamilton* and Mr. *Hew Dalrymple*, of Date the fifteenth *December* One thousand six hundred and eighty seven, and the Prorogation granted by Mr. *Hew Dalrymple* the twenty fifth *February* One thousand six hundred and eighty eight, I *James Dunbar* of *Mochrum* do by thir Presents prorogue and continue the foresaid Terms to the fifteenth Day of *June* next, in all Articles and Clauses contained in the foresaid Deposition, as Witness this my Hand, Day, Year and Place foresaid, written and subscribed by me, before thir Witnesses, *John Stewart* of *Livingstoun* younger, and *Thomas Stewart* of *Fintloch*.

I consent to the above-written  
Prorogation and Articles.

J. NICOLSON.

JA. DUNBAR.  
JO. STEWART Wit.  
J. STEWART Wit.